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☒ under 37CFR § 1.8(a), with sufficient postage as first class mail, or
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☐ transmitted by facsimile to the Patent and Trademark Office, Fax Number _____,
Attention: Examiner _____

PATENT

Attorney Docket No.
DX0903K1

CN 028008

Date: May 29, 2002 By: Lois E. Miller

Lois E. Miller

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

J Fernando BAZAN, *et al*

Serial No.: 09/963,347

Filed: September 25, 2001

For: MAMMALIAN CYTOKINES; RELATED
REAGENTS AND METHODS

Examiner: TO BE ASSIGNED

Art Unit: 1646

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Palo Alto, California 94304

May 29, 2002

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RESUBMISSION OF SEQUENCE DISKETTE

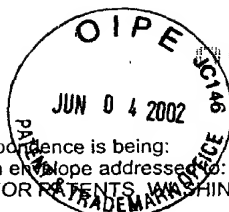
In response to the "Notice to Comply" with sequence listing rules dated May 1, 2002, enclosed please find a replacement diskette. It is understood that the diskette mailed with the sequence submission on December 18, 2001, was found to be damaged. Also enclosed for the examiner's convenience is a complete copy of our sequence submission as mailed on December 18, 2001, including a copy of the return postcard stamped received by the USPTO's Office of Initial Patent Examination (OIPE) on January 28, 2002.

Respectfully submitted,

Date: May 29, 2002

By: Sheela Mohan-Peterson
Sheela Mohan-Peterson
Attorney for Applicants
Reg. No. 41,201

DNAX Research Institute
901 California Avenue
Palo Alto, California 94304-1104
Main: (650) 496-6400
Direct: (650) 496-1244
Fax: (650) 496-1200



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PATENT

Attorney Docket No.
DX0903K1

CN 028008

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Attention: Examiner _____

Date: Dec. 18, 2001 By: Lois E. Miller

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

J. Fernando BAZAN, et al.

Serial No.: 09/963,347

Filed: September 25, 2001

For: MAMMALIAN CYTOKINES;
RELATED REAGENTS AND
METHODS

Examiner: not yet assigned

Art Unit: not yet assigned

COMPUTER READABLE
SEQUENCE SUBMISSION

Palo Alto, California 94304

December 17, 2001

5

BOX Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

10

Sir:

**COMPLIANCE WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

15

In reply to receipt of a "Notice to Comply" with requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures dated October 26, 2001, for the above-identified application, in accordance with 37 CFR § 1.821 - 1.825, Applicants hereby submit: (1) a write-protected diskette containing a computer-readable submission for the "Sequence Listing"; and (2) a "Sequence Listing" paper copy of the contents of the diskette.

20

REMARKS

25

Enclosed is a write protected floppy diskette with the sequence listing generated by the Patent Office's PATENTIN program. The Diskette should comply with the requirements of 37 CFR §1.824 and is IBM PC compatible with a PC-DOS/MS-DOS operating system. If the diskette has been damaged, please call

Applicants and a replacement diskette will be provided. A hard paper copy printout of the diskette is attached thereto.

I hereby state the informational contents of the paper and computer readable
 5 copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and
 (e), respectively, are believed to be the same. This submission introduces no new
 matter since enclosed sequences are the same as sequences which were submitted
 in priority documents.

10 Applicants have invested significant labor and care in preparing the present
 submission. The enclosed items are a bona fide effort to bring the present
 application into full compliance with the rules for sequence submissions. Should
 this not be the case, Applicants respectfully request notification of specific
 deficiencies and an opportunity for remedy, as described in 37 CFR 1.135(c).

15 Applicants believe that no fees are required; however, if any fees are required
 by the present Response, the Commissioner is authorized to charge any fees or
 credit any overpayment to DNAX Research Institute Deposit Account No. 04-1239.

20 Respectfully submitted,

Date: December 17, 2001

By: Sheela Mohan-Peterson
 Sheela Mohan-Peterson
 Attorney for Applicants
 Reg. No. 41,201

25
 30 enclosures and attachments:
 one write-protected diskette (CRM)
 paper copy of contents of diskette

35 DNAX Research Institute
 901 California Avenue
 Palo Alto, California 94304-1104
 Main: (650) 496-6400
 Direct: (650) 496-1244
 40 Fax: (650) 496-1200

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BOX 1 Missing Parts
WASHINGTON, D.C. 20231

Atty. Docket No: DX0903K1
Date Mailed: December 18, 2001
Inventor(s): J. Fernando BAZAN
Serial No.: 09/963,347
Filed: September 25, 2001

Title: MAMMALIAN CYTOKINES; RELATED REAGENTS AND METHODS

Enclosed:

1. Response to NTFMP (2 pages, in duplicate), Declaration & Power of Attorney (3 pages), and Copy of Notice to File Missing Parts (2 pages);
2. Response to "Notice to Comply" (2 pages) with Diskette and paper print-out (9 pages);
3. Preliminary Amendment (7 pages);
4. Submission of Formal Drawings (1 page) with 26 Sheets of Formal Drawings; and,
5. Return Postcard.



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Attention Examiner _____

PATENT

Attorney Docket No.
DX0903K1

CN 028008

Date Dec. 18, 2001 By: Lois E Miller

Lois E Miller

ANTI-
MEDIA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

J. Fernando BAZAN, et al.

Serial No.: 09/963,347

Filed: September 25, 2001

For: MAMMALIAN CYTOKINES;
RELATED REAGENTS AND
METHODS

Examiner: not yet assigned

Art Unit: not yet assigned

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Palo Alto, California 94304

December 17, 2001

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Atty. Docket No.: DX0903K1
MAMMALIAN CYTOKINES; RELATED
REAGENTS AND USES
J. Fernando BAZAN, et al.
USSN: 09/963,347
filed: September 25, 2001
Disk recordation date:
December 14, 2001

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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/963,347 | 09/25/2001 | J. Fernando Bazan | DX0903K1 |

028008
DNAX RESEARCH INSTITUTE
LEGAL DEPARTMENT
901 CALIFORNIA AVENUE
PALO ALTO, CA 94304



CONFIRMATION NO. 9754

FORMALITIES LETTER



OC000000007994930

Date Mailed: 05/01/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/963,347
Filing Date: 9/25/2001
Date Processed by STIC: 2/12/2002

STIC Contact: Mark Spencer, 703-308-4212

Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)
☐ Blank (no files on CRF) (see attached)
☐ Empty file (filename present, but no bytes in file) (see attached)
☐ Virus-infected. Virus name: _____ The STIC will not process the CRF.
☐ Not saved in ASCII text
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.
☐ Did not contain a Sequence Listing. (see attached sample)
☐ Other: _____

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

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